

**Annual 47 C.F.R. § 64.2009 CPNI Certification**

**EB Docket No. 06-36**

Annual 64.2009(e) CPNI Certification for 2007

Date filed: February 29, 2008

Name of Company covered by this certification: ViaTalk LLC

Name of Signatory: John Reyes

Title of Signatory: Chief Technical Officer

I, John Reyes, certify that I am an officer of ViaTalk LLC ("Via Talk"), and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that it is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

ViaTalk did not take any actions against data brokers during the 2007 calendar year. ViaTalk has not discovered any information beyond the publicly available means identified in the FCC's order about the processes that pretexters are using to attempt to gain access to CPNI. As mentioned in Attachment A, ViaTalk has taken several measures to protect CPNI, including, without limitation, conducting training regarding the appropriate use of CPNI, maintaining customer verification processes, implementing and applying a comprehensive CPNI program. ViaTalk also has implemented network security measures, including, but not limited to, encrypting certain data in an effort to protect CPNI.

ViaTalk has not received any complaints in 2007 concerning the unauthorized use of, access to, or release of CPNI.

A handwritten signature in black ink, appearing to read 'John Reyes', with a stylized, flowing script.

John Reyes  
Chief Technical Officer

February 29, 2008

## Attachment A

ViaTalk LLC ("ViaTalk") has established policies and procedures to comply with the Federal Communications Commission's ("FCC") rules pertaining to the use, disclosure, sharing, and access to customer proprietary network information ("CPNI") set forth in section 64.2001 et seq. These procedures ensure that ViaTalk is in compliance with the FCC's CPNI rules. This statement is a summary of ViaTalk LLC policies and procedures.

ViaTalk may use CPNI for the following purposes:

- To render, initiate, bill and collect for services;
- To protect its rights and property, or to protect users of its services from fraudulent, abusive, or unlawful use of, or subscription to, its services;
- To provide any inbound telemarketing, referral, or administrative services to the customer for the duration of the call, if the customer initiated the call and approves of the use of such information to provide such service;
- As required by law (such as on receipt of a validly issued subpoena); and
- As permitted by the customer.

**Training/Disciplinary Process:** ViaTalk trains its personnel as to what information is classified as CPNI, and as to when they are authorized and are not authorized to use this information. ViaTalk LLC has an express disciplinary process in place for the misuse of CPNI, which includes the potential for termination. ViaTalk personnel also are trained regarding each of the items listed herein. All ViaTalk personnel are provided with a contact person for CPNI-related inquiries.

**Authentication:** ViaTalk authenticates all incoming calls. ViaTalk provides guidelines in its training for acceptable methods of customer authentication based on the FCC rules. Acceptable authentication methods are broken down by online access, customer-initiated interactions, support representative-initiated interactions, and in-person interactions.

**Notification:** ViaTalk has implemented customer notification requirements for certain account changes in accordance with the FCC's rules and provides guidelines in its training for such customer notifications.

**Security Breaches:** ViaTalk LLC has procedures in place to notify the United States Secret Service and the Federal Bureau of Investigation in the event of the reasonable discovery of a data breach. An individual has been assigned the task of contacting these agencies. ViaTalk also has implemented procedures to notify affected customers in accordance with the FCC's rules. ViaTalk also has implemented procedures to maintain a record of such data breaches and such notifications in accordance with the FCC's rules.

Marketing: ViaTalk does not use CPNI for marketing purposes. ViaTalk does not share CPNI with third parties or affiliates (either communications or non-communications) for marketing purposes.

Customer Complaints: ViaTalk has procedures in place to track any complaints it receives concerning the unauthorized use, disclosure, or access to CPNI.

Requests for CPNI/Subpoenas: ViaTalk LLC has procedures in place to handle subpoenas and other requests for CPNI from any person other than the customer.

Additional Safeguards:

- ViaTalk has taken reasonable steps to protect its CPNI databases from hackers and other unauthorized attempts to gain access to CPNI. Among other measures, ViaTalk has informational security guidelines in place including but not limited to firewalls and restricted access to systems that store CPNI.
- ViaTalk also has taken steps to discover and to protect against activity that is indicative of pretexting.